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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO		
10/623,998	07/21/2003	Myk Wayne Lum	1153/202	5482		
7590 06/10/2005			EXAM	EXAMINER		
Wen Liu			NOLAND, K	NOLAND, KENNETH W		
LIU & LIU						
Suite 1100		ART UNIT	PAPER NUMBER			
811 West 7th Street			3653			
Los Angeles, C	CA 90017		DATE MAILED: 06/10/200	DATE MAILED: 06/10/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions from many be available under the provisions of 3 CFR 136(s), in no event, however, may a reply be timely filed Extensions from many be available under the provisions of 3 CFR 136(s), in no event, however, may a reply be timely filed Extensions for reply specified above is less bath thirty (30) days, a reply within the statutory minimum of birty (50) days will be considered timely. I the period for reply specified above is less bath thirty (30) days, a reply within the statutory minimum of birty (50) days will be considered timely. Failure to reply within the set or extended period for reply will, by a statuto, cause the application to become ABANCOKED (35 U.S.C. § 13.3). Responsive to communication(s) filed on 25 April 2005. Status 1) Responsive to communication is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-29 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are objected to. B) Claim(s) is/are objected to by the Examiner. Claim(s) is/are objected to by the Examiner. D) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.65(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.65(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.65(a). 11) The specification is objected to by the Examiner. O) All b)			Application	on No.	Applicant(s)					
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Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILLING DATE OF THIS COMMUNICATION. Extensions of term may be variable used the previous of 3° CFR 1.13(q). In no event, however, may a reply be timely filed by the Examiner of the property			Examiner		Art Unit					
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Art Unit: 3653

1) Upon a further consideration of the claims, a new restriction requirement is set forth as follows:

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-12,21-24 are***, drawn to *subcombination of a dispenser having an access opening (claim 1) or the one aperture (claim 6) or the opening (claim 21)**, classified in class *221**, subclass **63*.
 - II. Claims 13-20 and 25-29 are***, drawn to *the subcombination of a container having essentially means to assemble front to rear panels, without the recitation of an access opening to dispense an article. Claim 13 recites the funnel-shaped aperture for the 'insertion' of bags and is not for access or the dispensing of the bags**, classified in class *220**, subclass *600**.
- 2. Inventions of Group I and *of Group II** are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention *of Group II** has separate utility such as *the means to assemble panels together or a housing having an aperture for the insertion of articles could be applied to numerous construction of receptacles, without the need to dispense or withdraw the articles therefrom, as without the need of an access opening.. **. See MPEP § 806.05(d).
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143). Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth W Noland whose telephone number is (571) 272-6941. The examiner can normally be reached on Monday-Thursday ,each week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on (703) 306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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KENNETH W. NOLAND PRIMARY EXAMINER